

REVISED

Formal Meeting Agenda



Tempe City Council December 9, 2004

Harry E. Mitchell Government Center
Tempe City Hall - City Council Chambers
31 East Fifth Street
7:30 p.m.

1. INVOCATION - Councilmember Copple
2. PLEDGE OF ALLEGIANCE
3. MINUTES - Councilmember Goronkin
 - A. Approval of Council Meeting Minutes
 1. City Council Issue Review Session – October 21, & 28, November 4 & 18, 2004
[20041209clrkck01.pdf](#) [20041209clrkck02.pdf](#) [20041209clrkck04.pdf](#)
[20041209clrkck05.pdf](#)
 2. City Council Formal Meeting – September 30, October 7 & November 18, 2004
[20041209clrkck07.pdf](#) [20041209clrkck03.pdf](#) [20041209clrkck08.pdf](#)
 3. Council Community Services Committee – October 20 & November 17, 2004
[20041209CSC01.pdf](#) [20041209CSC02.pdf](#)
 4. Council Diversity & Human Relations & Resources Committee – November 16, 2004
[20041209DHRR01.pdf](#)
 5. Council Education Partnerships Committee – October 19 & November 10, 2004
[20041209EPC02.pdf](#) [20041209EPC01.pdf](#)
 6. Council Neighborhood Quality of Life & Public Safety Committee – October 12 & November 9, 2004 [20041209NQLPS02.pdf](#) [20041209NQLPS01.pdf](#)
 7. Council Technology Advancement, Tourism & Redevelopment Committee – September 13, October 11, & 25, November 19, 2004 [20041209TATR03.pdf](#)
[20041209TATR02.pdf](#) [20041209TATR01.pdf](#) [20041209TATR04.pdf](#)
 8. Council Transportation Committee – September 28, November 9 & 23, 2004
[20041209TRANS01.pdf](#) [20041209TRANS02.pdf](#) [20041209TRANS03.pdf](#)
 - B. Acceptance of Board & Commission Meeting Minutes
 9. Double Butte Cemetery Advisory Committee – September 15, 2004
[20041209csmr02.pdf](#)
 10. Human Relations Commission – September 14, 2004 [20041209hrc01.pdf](#)
 11. Neighborhood Advisory Commission – October 6, 2004 [20041209nac01.pdf](#)
 12. Parks & Recreation Board – October 12, 2004 [20041209csmr01.pdf](#)
 13. Planning & Zoning Commission – July 22, August 12 & 26; October 28, 2003;

November 12 & 25, 2003; October 12 & 26, 2004

[20041209pz07.pdf](#) [20041209pz01.pdf](#) [20041209pz02.pdf](#) [20041209pz08.pdf](#)
[20041209pz03.pdf](#) [20041209pz04.pdf](#) [20041209pz05.pdf](#) [20041209pz06.pdf](#)

14. Tempe Sports Authority – April 27, June 15, August 17, September 28, &
October 19, 2004 [20041209tsa01.pdf](#) [20041209tsa02.pdf](#) [20041209tsa03.pdf](#)
[20041209tsa04.pdf](#) [20041209tsa05.pdf](#)

4. REPORTS AND ANNOUNCEMENTS

A. Mayor's Announcements

- Healing Fields Presentation
- Presentation Honoring Retirement of Jan Schaefer

B. Manager's Announcements

5. AGENDA

All items listed on the agenda will be considered as a group and will be enacted with one motion by the City Council unless an item is removed for separate consideration. Members of the public may remove public hearing items for separate consideration. Public hearing items are designated by an asterisk (*). Councilmembers may remove any item for separate consideration.

Agenda items scheduled for Introduction/First Public Hearing will be heard, but will not be voted upon at this meeting. Items scheduled for Second Public Hearing/Final Adoption will be voted upon tonight.

'q-j' indicates quasi-judicial items. The City Council sits as a quasi-judicial body when hearing variances. In this situation, the City Council must conduct itself as a court, not as a legislative body. Pre-meeting contact with the City Council on quasi-judicial matters is prohibited. Any materials or conversations concerning the item shall only be presented to the City Council at the scheduled public hearing.

A. Miscellaneous Items

15. Request approval of the Report of Claims Paid to be Filed for Audit for the week of November 7, 2004.

COMMENTS: A copy of the detailed claims report may be obtained by contacting the City Clerk's Office.

16. Request approval of the reappointment of City Judge Michelle O'Hair-Schattenberg to a two-year term.

DOCUMENT NAME: [20041209ccfv01.pdf](#) **COURT ADMINISTRATION (0501-02)**

17. Request authorization for the Mayor to sign Intergovernmental Agreement AZ-03-0046 with the City of Phoenix to provide funding for the construction of the East Valley Operations Facility and design of the Downtown Tempe Transit Center.

DOCUMENT NAME: [20041209pwdj01.pdf](#) **PUBLIC TRANSIT (1106)**

18. Request authorization for the Mayor to sign Intergovernmental Agreement AZ-90-X070 with the City of Phoenix for funding capital maintenance, capital cost of contracting and construction of the Downtown Transit Center; new fareboxes; and acquisition and design of the regional Park-N-Ride.

DOCUMENT NAME: [20041209pwdj02.pdf](#) **PUBLIC TRANSIT (1106)**

19. Request authorization to execute a Joint Defense Agreement between the City of Tempe, Miravista Holdings, LLC, and Miravista/Vestar TM Landco, LLC.

DOCUMENT NAME: [20041209dsnc01.pdf](#) **COMM DEV/REDEVELOPMENT ADM (0403-01)**

20. Request approval to accept the 2004 Urban Areas Security Initiative Grant from the United States Department of Homeland Security.

COMMENTS: Grant in the amount of \$2,200,000.

DOCUMENT NAME: [20041209fda01.pdf](#) **FIRE/PARAMEDIC SERVICE ADMIN (0605-01)**

21. Request authorization to adopt new relocation assistance procedures for commercial tenants.

DOCUMENT NAME: [20041209PWTG04.pdf](#) **ENGINEERING ADMINISTRATION (0803-02)**

22. Request approval of an addendum to a professional services contract with Wood, Patel & Associates, Inc., for the Martinez Water Treatment Plant South Access Driveway project.

COMMENTS: Total amount of the addendum shall not exceed \$32,768, subject to the execution of the final written addendum.

DOCUMENT NAME: [20041209PWTG02.pdf](#) **JOHNNY G. MARTINEZ WATER TREATMENT PLANT (0902-13) PROJECT NO. 3201096**

23. Request approval of a one-year contract renewal with Salt River Landfill (T98-018-03) for sludge disposal.

COMMENTS: Total amount not to exceed \$70,000.

DOCUMENT NAME: [20041209fslq02.pdf](#) **PURCHASES (1004-01)**

24. Request approval of one-year contract renewals with Dialight Corporation (T01-017-01), Phoenix Highway Products (T02-017-02), and Jerry E. Fondaw & Associates (T01-017-03) for LED Retrofits.

COMMENTS: Total amount not to exceed \$100,000.

DOCUMENT NAME: [20041209fslg04.pdf](#) **PURCHASES (1004-01)**

25. Request approval of a one-year contract renewal with Econolite Control Products, Inc. T01-038-01), for traffic control cabinets.

COMMENTS: Total amount not to exceed \$100,000.

DOCUMENT NAME: [20041209fslg09.pdf](#) **PURCHASES (1004-01)**

26. Request approval to utilize for one year State of Arizona Contract #AD040004-005 with Five Star Ford for police vehicles.

COMMENTS: Three utility vehicles. Total cost of this contract shall not exceed \$67,473 during the initial contract period.

DOCUMENT NAME: [20041209fsl08.pdf](#) **PURCHASES (1004-01)**

27. Request authorization to retain outside legal counsel for condemnation litigation services for the light rail project.

DOCUMENT NAME: [20041209pwjism.pdf](#) **TRANSPORTATION PLANNING (1101-01)**

28. Request for an Amended Horizontal Regime by Edgewater at Hayden Ferry Lakeside, A Condominium, at 120 E. Rio Salado Parkway.

COMMENTS: (Hayden Ferry Lakeside, LLC, property owner) #SHR-2004.91 for an Amended Horizontal Regime on 1.28 net acres.

DOCUMENT NAME: [20041209dsrl02.pdf](#) **PLANNED DEVELOPMENT (0406)**

29. Request for a Final Subdivision Plat by Centerpoint Residential for Centerpoint Plaza Two at 75 W. 5th Street.

COMMENTS: (Tempe Land Company, LLC, property owner) #SBD-2004.90 for a Final Subdivision Plat for Centerpoint Plaza Two on 4.79 net acres.

DOCUMENT NAME: [20041209dsrl01.pdf](#) **PLANNED DEVELOPMENT (0406)**

- *30. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for JSP, Inc., dba Ichi Ban Japanese Restaurant, 1435 E. University Drive, #111 & 112.

COMMENTS: Johnny Park, Agent

DOCUMENT NAME: [20041209LIQ1.pdf](#) **LIQ LIC (0210-02)**

- *31. This is a public hearing to recommend the **denial** of an After-Hours Permit Application for McDuffy's Sports Bar, Inc., dba McDuffy's, 230 W. 5th Street.

COMMENTS: Roger Egan, Agent
DOCUMENT NAME: [20041209STAX1.pdf](#) LIQ LIC (0210-02)

B. Award of Bids

32. Request award of a professional services contract to Otak, Inc., for completing the design of the Downtown Tempe Transit Center.

COMMENTS: Subject to execution of the final written contract. Total cost of the contract shall not exceed the amount of \$1,515,203.

DOCUMENT NAME: [20041209PWTG01.pdf](#) TEMPE TRANSIT CENTER (1106-06) PROJECT NO. 60-976762

33. Request award of a construction contract to Sunland Asphalt, Inc., for major street renovation improvements.

COMMENTS: Subject to execution of the final written contract. Total cost of the contract shall not exceed the amount of \$257,783.

DOCUMENT NAME: [20041209PWTG03.pdf](#) STREET UPGRADING – MAINTENANCE – CONSTRUCTION (0809-05) PROJECT NO. 5401791

34. Request award of a sole source contract to General Electric Capital Modular Space for the purchase of the Rio Salado Operations Center modular building.

COMMENTS: Subject to execution of the final written contract. Total cost of the contract shall not exceed the amount of \$91,119.

DOCUMENT NAME: [20041209fslq01.pdf](#) PURCHASES (1004-01) Contract #05-047

35. Request award of a one-year contract with two (2) one-year renewal options to Carmanah Technologies, Inc., for solar lighting for bus shelters.

COMMENTS: Subject to execution of the final written contract. Total cost for this contract shall not exceed \$106,000 during the initial contract period.

DOCUMENT NAME: [20041209fslq03.pdf](#) PURCHASES (1004-01) RFP #05-032

36. Request award of a one-year contract with two (2) one-year renewal options to Summit Electric for street light poles and luminaries.

COMMENTS: Groups 1, 2, 4 and 5 only. Subject to execution of the final written contract. Total cost shall not exceed \$100,000 during the initial contract period.

DOCUMENT NAME: [20041209fslq05.pdf](#) PURCHASES (1004-01) IFB #05-019RB

37. Request award of a one-year contract with two (2) one-year renewal options to Golf Ventures West and Tempe Power Equipment for turf equipment.

COMMENTS: Subject to execution of the final written contract. Total cost for this

contract shall not exceed \$89,087 during the initial contract period.

DOCUMENT NAME: [20041209fsdl07.pdf](#) PURCHASES (1004-01) RFP #05-045

C. Ordinances and Items for Introduction/First Hearing - These items will have two public hearings before final Council action.

- *38. This is the **introduction and first public hearing** for an ordinance authorizing the Mayor to execute an Assignment and Assumption Agreement between the City of Tempe, Vaughan Street, LLC, and HOF-Biltmore Rio Salado I, LLC. **The second public hearing is set for December 16, 2004.**

DOCUMENT NAME: [20041209casv01.pdf](#) REAL PROPERTY EXCHANGES (0902-2105) Ordinance No. 2004.54

- *39. This is the **introduction and first public hearing** for an ordinance authorizing the Mayor to execute a Special Warranty Deed conveying City property to Hayden Ferry Lakeside, LLC. **The second public hearing is set for December 16, 2004.**

DOCUMENT NAME: [20041209casv02.pdf](#) RIO SALADO MASTER PLAN (0112-07-03) Ordinance No. 2004.55

D. Ordinances and Items for Second Hearing/Final Adoption

- *40. This is the **second public hearing** for an ordinance authorizing the Mayor to execute the Playa Del Norte Development Parcel Agreement for the "Weststone" Project.

DOCUMENT NAME: [20041209rsca01.pdf](#) RIO SALADO MASTER PLAN (0112-07-03) ORDINANCE NO. 2004.51

- *41. This is the **second public hearing** for an ordinance amending Chapter 7, Article VI, relating to the Bicycle Advisory Committee, and Chapter 2, Article V, Division 8 relating to the Transportation Commission.

COMMENTS: Authorizing merger of the Bicycle Advisory Committee and Transportation Commission.

DOCUMENT NAME: [20041209pwcdl01.pdf](#) TCC CH2 CITY CODE ADMINISTRATION (0503-02) ORDINANCE NO. 2004.52

E. Resolutions

6. **PUBLIC APPEARANCES**

According to the Arizona Open Meeting Law, the City Council may only discuss matters listed on this agenda. Matters discussed by the public during public appearances cannot be discussed by the City Council unless they are specifically listed on this agenda. There is a five-minute time limit per speaker. Speaker's visual aids or recorded tapes are not allowed.

Members of the public shall refrain from making personal, impertinent or slanderous remarks and from becoming boisterous while addressing the City Council or while attending the meeting. Unauthorized remarks from the audience, clapping, stomping of feet, yelling or any similar demonstrations are also prohibited. Violations of these rules may result in removal from the City Council meeting.

SCHEDULED PUBLIC APPEARANCE:

Dennnis Skolnick, 1320 S. Hardy, Tempe, re: Mill Avenue Parking

7. CURRENT EVENTS/COUNCIL ANNOUNCEMENTS

The City of Tempe endeavors to make all public meetings accessible to persons with disabilities. With 48 hours advance notice, special assistance can also be provided for sight and/or hearing impaired persons at public meetings. Please call (480) 350-8241 (voice) or (480) 350-8400 (TDD) to request an accommodation to participate in the City Council meeting.

**Agendas are also available at www.tempe.gov/clerk
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